



*Welcome to Capitol Roll Call*— Aging Services’ new (and slightly improved) legislative tracking tool. Though the name has changed and the look has been updated, Roll Call is still your source for timely and important information on priority legislation related to the field of aging services. Please look for future issues of Capitol Roll Call in upcoming editions of *agenda*.

**PRIORITY LEGISLATION**

**AB 1044 (Jones) Continuing care retirement communities: contracts.**

Under existing law, the State Department of Social Services is responsible for regulating activities relating to continuing care contracts that govern care provided to an elderly resident in a continuing care retirement community for the duration of the resident’s life or a term in excess of one year. This bill would transfer that responsibility, except with respect to oversight and regulation of programs and services provided directly to residents of the communities, to the Department of Insurance and would make related conforming changes. This bill contains other related provisions and other existing laws.

**Status:** 07/15/2009-Senate Human Services

**Position:** Oppose-A

**AB 1433 (Eng) Continuing care contracts: temporary relocation.**

This bill would define the term “residential temporary relocation” to mean the relocation of one or more residents, except in the case of a natural disaster that is out of the provider’s control, from one or more residential living units, assisted living units, skilled nursing units, or a wing, floor, or entire continuing care retirement community building, due to a change of use or major repairs or renovations. The bill would limit residential temporary relocation to a period of at least 9 months but not to exceed 18 months without the written agreement of the resident. This bill contains other related provisions and other existing laws.

**Status:** 02/11/2010-Senate Human Services

**Position:** Watch-A

**AB 1593 (Yamada) Adult day health care centers.**

The California Adult Day Health Care Act provides for the licensure and regulation of adult day health care centers, with administrative responsibility for the adult day health care program shared among the State Department of Public Health, the State Department of Health Care Services, and the California Department of Aging pursuant to an interagency agreement. This bill would add two specified veterans homes of California, to the list of applicants that are not subject to the moratorium.

**Status:** 01/14/2010-Assembly Health

**Position:** Pending Public Policy Committee Legislative Review

**AB 1680 (Saldana) Civil Rights Act: waiver of rights.**

This bill would prohibit a person from requiring a waiver of the protections afforded under the Unruh Civil Rights Act as a condition of entering into a contract or agreement or as a condition for the provision of goods and services. This bill would create a presumption that any waiver of the protections afforded under the act is in violation of the act unless the person that alleges the waiver verifies that the waiver is in writing and contains a statement that the waiver is voluntarily and knowingly made and is not made as a condition of either entering into an agreement or contract or for the provision of goods and services. These provisions would apply to contracts entered into, removed, altered, modified, or extended on and after January 1, 2012.

**Status:** 02/04/2010-Assembly Judiciary

**Position:** Pending Public Policy Committee Legislative Review

**AB 2073 (Lowenthal, Bonnie) Medi-Cal: adult day health care services.**

Existing law establishes the Medi-Cal program, administered by the State Department of Health Care Services, under which basic health care services are provided to qualified low-income persons. This bill would, instead, upon the date the director executes the aforementioned declaration, establish adult day health care services as a Medi-Cal benefit for Medi-Cal beneficiaries who meet certain criteria, including, requiring beneficiaries to have two or more functional impairments involving the above-described activities and require assistance, as defined, in performing those activities.

**Status:** 02/18/2010-Assembly Printer

**Position:** Pending Public Policy Committee Legislative Review

**AB 2234 (Lowenthal, Bonnie) Mental health: target populations: older adults.**

Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the Mental Health Services Fund to fund various county mental health programs. The act may be amended by the Legislature only by a 2/3 vote of both houses and only so long as the amendment is consistent with and furthers the intent of the

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act. The Legislature may clarify procedures and terms of the act by majority vote. This bill would make the current definition of functional impairment applicable to adults 18 to 59 years of age, inclusive, and would, in addition, establish a definition of functional impairment for adults 60 years of age or older. The bill would also make eligible for services pursuant to this program adults 60 years of age or older who require brief treatment as a result of a natural disaster or severe local emergency.

**Status:** 02/18/2010-Assembly Printer

**Position:** Pending Public Policy Committee Legislative Review

**AB 2334 (Salas) Health care: billing: interest and fees.**

This bill would prohibit a medical care provider, as defined, or health facility, as defined, from charging, assessing, or collecting, directly or through a collection agency or other intermediary, or pursuant to any judgment, any interest on, or late fees or charges with respect to or arising out of, any unpaid balance on a bill for medical services rendered. The bill would also require those providers and facilities to include in a bill for medical services a notice to this effect, in at least 12-point type, as specified.

**Status:** 02/19/2010-Assembly Printer

**Position:** Pending Public Policy Committee Legislative Review

**SB 1329 (Leno) Residential care facilities for the elderly.**

This bill would require the licensee of a facility to notify the department in writing within 24 hours of specified events or obtaining knowledge of these events, and would require the department to conduct an annual unannounced visit to the facility when the facility experiences any of these events.

**Status:** 02/19/2010-Senate Printer

**Position:** Pending Public Policy Committee Legislative Review

**SB 1400 (Negrete McLeod) Long-term health care facilities: citations and penalties review.**

This bill would declare the intent of the Legislature to enact legislation that would assign responsibility for federal informal dispute resolutions and state citation review conferences to an independent 3rd party outside of the State Department of Public Health, as specified.

**Status:** 02/19/2010-Senate Printer

**Position:** Pending Public Policy Committee Legislative Review



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